

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

In re: SHERYL ELAINE DOWLING  
A/K/A SHERYL ELAINE DOWLING-HUNTER

Debtor,

Case No.: 11-37238-DOT  
Chapter 13

ALLY FINANCIAL INC. F/K/A GMAC INC.

Movant,

v.

SHERYL ELAINE DOWLING  
ROBERT E. HYMAN, ESQUIRE

Respondents.

**CONSENT ORDER MODIFYING AUTOMATIC STAY**

This matter was before the court on December 19, 2012, on the motion of Ally Financial Inc. F/K/A GMAC Inc. ("Ally"), for relief from the automatic stay with respect to certain personal property, to-wit:

2009 Pontiac G6, VIN 1G2ZH57N494141114

Upon consideration of which, it is

Carl A. Eason, Esquire  
Counsel for Ally  
Wolcott Rivers Gates  
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(757)497-6633  
VSB# 18636

**ORDERED:**

1. The debtor will resume making regular monthly installment payments in the amount of \$ 247.22 as they become due commencing on January 14, 2013. Late payments will include applicable late charges in the amount of \$ N/A.

2. The debtor will cure the post-petition arrearage currently due to the movant through December 14, 2012 in the total amount of \$ 1,429.40, which includes late charges, deferred late charges, filing fees and attorney's fees, by making the following payments:

Arrearage Payments, such as the following:

- |    |                    |              |                         |
|----|--------------------|--------------|-------------------------|
| a. | \$ <u>1,429.40</u> | on or before | <u>January 18, 2013</u> |
| b. | \$ <u>0.00</u>     | on or before | <u>N/A</u>              |
| c. | \$ <u>0.00</u>     | on or before | <u>N/A</u>              |
| d. | \$ <u>0.00</u>     | on or before | <u>N/A</u>              |
| e. | \$ <u>0.00</u>     | on or before | <u>N/A</u>              |
| f. | \$ <u>0.00</u>     | on or before | <u>N/A</u>              |

3. In the event that the debtor does not cure the arrearages within 30 days of the hearing Ally is granted relief from the automatic stay without further Order of this Court;

4. The provisions of this order with respect to regular monthly installment payments expire one year after the date of the entry of this order. In the event of the default in payment of any regular monthly installment payment due more than one year after the date of the entry of this order, the movant must obtain relief by filing a new motion for relief from stay with appropriate notice and hearing.

5. Until an order is entered terminating the automatic stay, the movant may not refuse to accept or apply payments tendered by the debtor, even if such payments are late or in an improper amount; however, acceptance of non-conforming payments is without prejudice and shall not constitute a waiver of any default.

6. The automatic stay is modified to permit the note holder or servicing agent to send the debtor payment coupons, payment statements or invoices, notices or late charges, notices of payment changes, notices of servicing transfers, or any other notice, other than a notice of acceleration or demand for payment of the entire balance, normally sent to customers in the ordinary course of business.

7. Should the debtor default pursuant to the terms contained herein, unless otherwise ordered by this court, the movant shall be entitled to reasonable attorney's fees in the amount of \$100.00 for issuance of a notice of default, and an additional \$ 225.00 for issuance of a certificate of default and preparation of an order terminating the automatic stay.

\_\_\_\_\_, Virginia  
\_\_\_\_\_, 2012

\_\_\_\_\_  
United States Bankruptcy Judge

Copies to:

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301 Bendix Road, Suite 500  
Virginia Beach, VA 23452  
Counsel for Ally

Christian D'Angelo DeGuzman, Esquire  
JANAF Office Building  
5900 E. Virginia Beach Blvd., Suite 507

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Norfolk, VA 23502  
Counsel for debtor

Robert E. Hyman, Esquire  
P.O. Box 1780  
Richmond, VA 23218-1780

Sheryl Elaine Dowling  
4806 Wynn Lane, Apt. 304  
Midlothian, VA 23112

I ask for this:

/s/ Carl A. Eason  
Carl A. Eason, Esquire  
Counsel for Ally  
Convergence Center IV  
301 Bendix Road, Suite 500  
Virginia Beach, VA 23452

Seen and Agreed and the Debtors  
have been advised of these terms:

/s/ Christian D'Angelo DeGuzman  
Christian D'Angelo DeGuzman, Esquire  
Counsel for Debtor  
JANAF Office Building  
5900 E. Virginia Beach Blvd., Suite 507  
Norfolk, VA 23502

Seen:

/s/ Robert E. Hyman  
Robert E. Hyman, Esquire  
Trustee  
P.O. Box 1780  
Richmond, VA 23218-1780

CERTIFICATION OF SERVICE

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed

Order has been endorsed by or served upon all necessary parties on or before the 27th day of December 2012, to Christian D'Angelo DeGuzman, Esquire, JANAF Office Building, 5900 E. Virginia Beach Blvd., Suite 507, Norfolk, VA 23502, counsel for debtor; Robert E. Hyman, Esquire, Trustee, P.O. Box 1780, Richmond, VA 23218-1780; and to the debtor, 4806 Wynn Lane, Apt. 304, Midlothian, VA 23112.

/s/ Carl A. Eason

CERTIFICATION

The undersigned certifies that the foregoing Consent Order Modifying Automatic Stay is substantially in compliance with the standing Administrative Order 10-2.

/s/ Carl A. Eason

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